

REMARKS/ARGUMENTS

The Final Office Action dated April 18, 2006 has been carefully considered. Claims 21-27, 29 and 31-37 are pending in the application, with claim 21 being the only independent claim. Claims 21, 29, 31, 34, 35 and 37 have been amended. Claims 28 and 30 have been canceled, without prejudice. Reconsideration of the application, as amended herein and in view of the following remarks, is respectfully requested.

The February 3, 2006 amendment to paragraph [0018] of the specification stands objected to, and claim 37 stands rejected under 35 U.S.C. §112, first paragraph, on the ground that the expression “a man-made porous biological filtration material” used or recited therein, which is the English translation of the German term “biokerne,” introduces new matter.

Although applicant respectfully disagrees, applicant has amended paragraph [0018] of the specification and claim 37 to use the English translation “bio-core” instead. It has recently come to the undersigned’s attention that the term “bio-core” or “biocore” is used in the relevant industry (see the attached printouts from the websites of www.seaquestmarine.com, www.co2-canisters.com and www.filtrific.com). Thus, applicant respectfully submits that the term “bio-core” is an accepted and recognized term in the art, and that a person with ordinary skill in the art would know what “bio-core” means. Withdrawal of the objection to the description and withdrawal of the rejection under 35 U.S.C. §112, first paragraph, of claim 37 are therefore respectfully requested.

Claim 21 and each of now canceled claims 28 and 30 stand rejected under 35 U.S.C. §103(a) as unpatentable over GB 2 371 244 (GB ‘244) in view of Chattaway (USP 3,884,811).

Claim 21 has been amended to include the subject matter of now canceled claims 28 and 30. Amended claim 21 now recites “a flow barrier disposed between the filter screen and the

inlet opening of the flushing channel, the flow barrier extending parallel to the X axis over the entire width of the filter screen, wherein the flow barrier is arranged to block intake water in the Y axis during filtration and is overcome by intake water in the Y axis during flushing” (emphasis added).

Applicant respectfully submits that amended claim 21 is patentable over GB ‘244 in view of Chattaway because the combination of GB ‘244 and Chattaway fails to teach or suggest all of the limitations of amended claim 21. In particular, the combination of GB ‘244 and Chattaway fails to teach or suggest the above-quoted limitations of amended claim 21.

In the water purification system of GB ‘244, a screen filter 20 is disposed inside an orifice 13 of a partition wall 11. A sump 15 is disposed below the screen filter 20 so that any particulate materials accumulated on the screen filter 20 can be dislodged from the screen filter 20 by the flow of water from the openings of the rotor element 27 of a back flow device 25, and fall into the sump 15. See Fig. 1; and page 6, line 11 to page 8, line 10 of GB ‘244. However, GB ‘244 does not disclose, teach or suggest a flow barrier between the screen filter 20 and the inlet opening of the sump 15, which flow barrier is arranged to block intake water in a longitudinal Y axis during filtration and is overcome by intake water in the Y axis during flushing (see Fig. 1 of GB ‘244).

Chattaway does not supply what is missing from GB ‘244. Although Chattaway discloses a channel 12, 512, which is in the flow path downstream of the screen 9, 59, Chattaway does not disclose, teach or suggest a flow barrier between the screen 9, 59 and the channel 12, 512, which flow barrier is arranged to block intake water in a longitudinal Y axis during filtration and is overcome by intake water in the Y axis during flushing (see Figs. 2 and 3 of Chattaway).

Thus, the combination of GB ‘244 and Chattaway fails to disclose, teach or suggest the limitations of “a flow barrier disposed between the filter screen and the inlet opening of the flushing

channel, the flow barrier extending parallel to the X axis over the entire width of the filter screen, wherein the flow barrier is arranged to block intake water in the Y axis during filtration and is overcome by intake water in the Y axis during flushing” (emphasis added), as now expressly recited in amended claim 21 of the present application.

In view of the foregoing, withdrawal of the 35 U.S.C. §103(a) rejection of claim 21 is respectfully requested.

Dependent claims 22-27, 29 and 31-37 are patentable for at least the same reasons that amended independent claim 21 is patentable, as well as for the additional limitations recited therein.

In particular, it is noted that neither GB ‘244 nor Chattaway discloses, teaches or suggests “a flow diverting device arranged in the flow path between the water inlet and the flat filter screen,” as expressly recited in claim 22, or “wherein the flow diverting device comprises a flow chamber arranged parallel to the X axis, the flow chamber having at least one outlet opening proximate to the upper end of the filter screen,” as expressly recited in claim 23, or “wherein the flow diverting device comprises a plurality of outlets proximate to the upper end of the screen, and a plurality of flow diverting elements arranged adjacent to respective said outlets,” as expressly recited in claim 24, or “the flushing channel can be disconnected from the channel outlet so that the filtering device can be flushed along a flow path from the filtering device to the channel outlet,” as expressly recited in claim 35. See Figs. 1-4 of GB ‘244; and Figs. 1 and 2 of Chattaway.


In view of the foregoing, applicant respectfully submits that the application is in condition for allowance, and such action is respectfully requested.

It is believed that no fees or charges are required at this time in connection with the application. However, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

COHEN, PONTANI, LIEBERMAN & PAVANE LLP

By

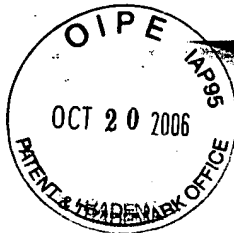


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October 18, 2006

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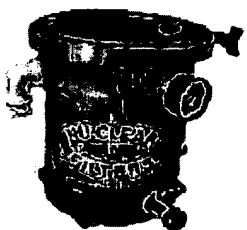
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